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## TRIAL LAWYERS

August 19, 2024

**VIA ECF**

The Honorable Denise L. Cote  
United States District Court  
Southern District of New York

RE: *Yodice v. Touro College and University System*  
Case No. 1:21-cv-02026-DLC

Dear Judge Cote:

We write on behalf of both parties to provide a status report in the above-captioned action pursuant to the Court's order filed on August 12, 2024. *See* ECF No. 33.

On November 4<sup>th</sup>, 2021, Defendant's Motion to Dismiss was granted. ECF No. 28. On July 19, 2024, the Second Circuit Court of Appeals vacated in part and affirmed in part the Court's dismissal. ECF No. 31. In its decision, the Second Circuit affirmed dismissal of Plaintiffs' Fee Claims and vacated dismissal of Plaintiffs' Tuition Claims and NY GBL claim.

As such, Plaintiffs will amend their complaint consistent with the appeal Order. ECF No. 31. Plaintiffs will file their amended complaint on or before September 6, 2024, pursuant to this Court's order. ECF No. 33.

The parties are not in settlement discussions at this time.

/s/ Roy T. Willey, IV  
Roy T. Willey, IV

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